VIRGINIA:

#### BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER VGOB 06-0418-1616

ELECTIONS: UNIT W-4 (herein Subject Drilling Unit)

### REPORT OF BOARD

#### **FINDINGS AND ORDER**

This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on June 22, 2006 which was recorded at Document #060002243 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on July 6, 2006, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein ADesignated Operator) to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit W-4;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company PO Box 3860 Kingsport, TN 37664. Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven seven (7) days from the date of receipt of this Order.

<u>Conclusion:</u> Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this day of, 2011, by a majority of the Virginia Gas and Oil Board.
Chairman, Bradley C. Lambert
DONE AND PERFORMED this 8th day of Sentender, 2011, by Order of the Board.
$\circ$ $\downarrow$ $\circ$
Kerk Coop
Rick Cooper
(Acting) Principal Executive to the Staff, Virginia Gas and Oil Board
, <del>-</del>
STATE OF VIRGINIA
COUNTY OF RUSSELL
3Th 01
Acknowledged on this day of <u>lestends</u> , 2011, personally before me a notary public in and for the Commonwealth of
Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared
Rick Cooper, being duly sworn did depose and say that he is Acting

Principal Executive to the Staff of the Virginia Gas and Oil Board that

Diane Davis Notary Public 174394

My commission expires: September 30,2013

they executed the same and were authorized to do so.



#### VIRGINIA:

#### Exhibit A

#### BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit W-4 VGOB 06-0418-1616 in the Prater District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein ADesignated Operator) REGARDING ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land Resources, Inc., as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on June 22, 2006, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on July 6, 2006;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of June 22, 2006;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

#### See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

Kilby Boyd, Judy C. Boyd, Pauline Baldwin, Judy Elizabeth Hagy, Jody Baldwin, Shelia Miller, Ercil Cook, Donald Ray Clevinger, Gallie Looney, Heda (Hettie) Looney Maynard, Robert Joseph Looney (previously J.R. Looney), Juanita Scott Thompson, Wesley & Shirley Owens

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

#### See attached Exhibit EE

That pursuant to the provisions of VAC 25-160-70.A.10, and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this day of

Anita D. Duty

STATE OF WEST VIRGINIA COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for ENX Land Resources. Inc., on behalf of the corporate Designated Operator, this day of

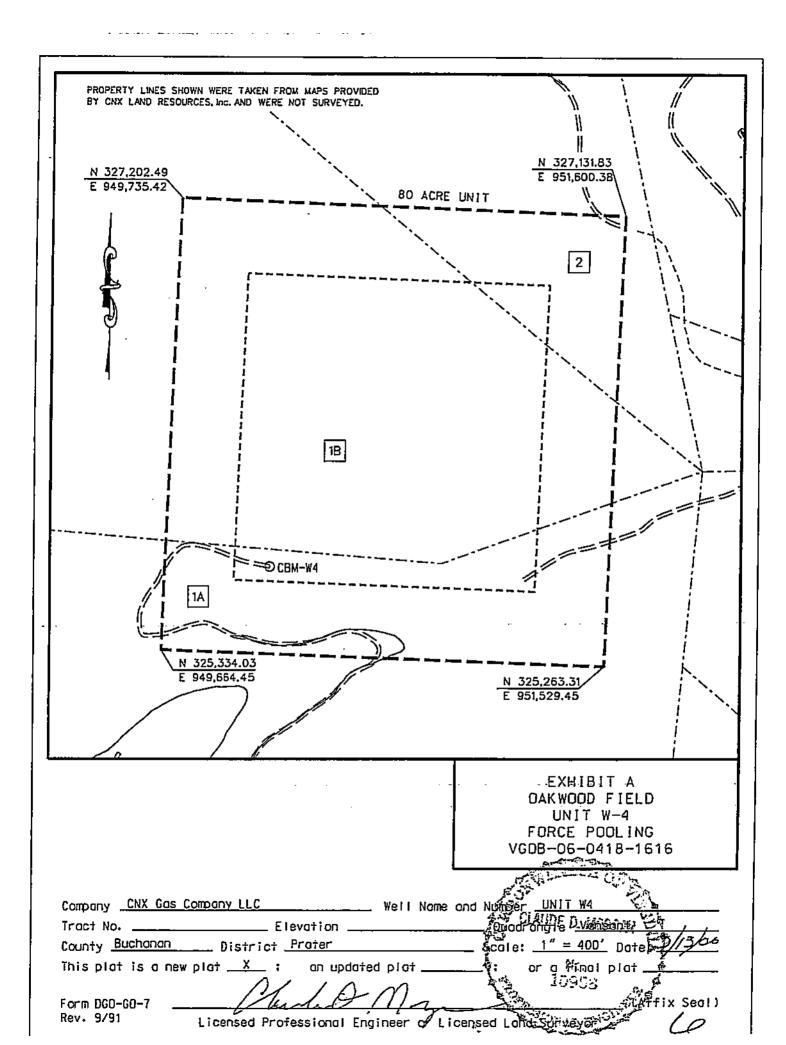
,2010.

Notary

My commission expires:

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
DIANA M. MURPHY
CNX GAS COMPANY LLC
2481 JOHN NASH BLVD.
BLUEFIELD. WV 24701
My commission expires December 4, 2016

45



### CNX Gas Company LLC Unit W4

#### Tract Identifications

- F.M.F. Boyd, Heirs, et al (119 acre tract) Coal (Except % of Widow Kennedy and Above Seams)
  Rual Fuller/National Energy Corp. (%) of Widow Kennedy and Above Seams
  F.M.F. Boyd Heirs, et al Ali Minerals except Coal (96.94%)
  CNX Gas Company LLC All Minerals except Coal (3.06)
  Island Creek Coal Company/Consol Energy, Inc. Coal Below Tiller Seam Leased
  CNX Gas Company LLC Oil, Gas and CBM Leased(%)
  70.94 acres 88.6750%
- 1A. Ocie S. Jackson Surface
- 1B. Dewitt Boyd, et al (Lillie Boyd Heirs) Surface
- Levisa Coal Company Tr. 36 (51 Acre Tract of 75.75 acre Tract) Coal Island Creek Coal Company/Consol Energy, inc. Coal Below Tiller Seam Leased Jewell Smokeless Coal Corporation Coal in Tiller and Above Leased John W. Pobst, Jr., et al. Oil and Gas CNX Gas Company LLC CBM Leased Unknown Surface Owner 9.06 acres 11.3250%

# Exhibit B-2 Unit W-4 Docket #VGOB 06-0418-1616

			Acres in Unit	Percent of Unit	Reason for Dismissal	Reason for Addition
L j	COAL	OWNERSHIP				
	Tract	#1 - 70.94 acres				
	(1)	F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (119 Acre Tract)	70.94 acres	88.6750%		
	(1)	Marion Boyd Heirs, Devisees, Successors or Assigns				
	(a)	Kilby Boyd c/o Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.4826 acres 1/147 of 70.94 acres		Deceased	
	(á)	Ctyde Boyd P.O. Box 403 Clinchco, VA 24226	0.4826 acres 1/147 of 70.94 acres	0.6032%		Heir
	(2)	Henry Boyd Heirs, Devisees, Successors or Assigns				
	(d)	Judy C. Boyd 3501 Boyd's Ridge Rd. Vansant, VA 24656	0.1609 acres 1/441 of 70.94 acres	0.2011%	Leased	
	(5)	Marion Rendue Boyd Heirs, Devisees, Successors or Assigns				
	(c)	Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns				
		(c.3) Pauline Baldwin 5931 Berkshire Ct Afexandria, VA 22303	0.0821 acres 1/864 of 70.94 acres	0.1026%	Leased	
		(c.8) Judy Elizabeth Hagy PO Box 104 Vansant, VA 24656	0.0821 acres 1/864 of 70.94 acres	0.1026%	Leased	
		(c.9) Gary Raymond Baldwin Heirs, Devisees, Successors or Assigns				
		(c.9.1) Jody Baldwin 341 Pennsylvania Avenue Salem, VA 24153	0.0821 acres 1/864 of 70.94 acres	0.1026%	Leased	
	(e)	) Ada Nell Stiltner Heirs, Devisees, Successors or Assigns				
		(e.3) Shelia Miller 4138 Bloomingdale Rd. kingsport, TN 37660	0.1642 acres 1/432 of 70.94 acres	0.2053%	Leased	
	O)	) Mary Boyd Cook Heirs, Devisees, Successors or Assigns				
		(j.4) Ercil Cook Heirs, Devisees, Successors or Assigns (1/288)			Deceased	
		(j.4.1) Mark Cook PO Box 1732 Honaker, VA 24260	0.0821 acres 1/864 of 70.94 acres	0.1026%		Heir
		(j.4.1) Ercil Cook, Jr. 401 Chalan Guma Yuus Court Sinaja, Guam 96926	0.0821 acres 1/864 of 70.94 acres	0.1026%		Heir
		(j.4.1) Ursula Cook Address Unknown	0.0821 acres 1/854 of 70.94 acres	0.1026%		Heir
			Page 1 of 5			Updated 7/2

### Exhibit B-2

#### Unit W-4 Docket #VGOB 06-0418-1616

			Acres in Unit	Percent of Unit	Reason for Dismissal	Reason for Addition
	(1)	Ardue Guy Boyd Heirs, Devisees, Successors or Assigns				
		(I.12) Carlie B. Clevinger Heirs, Devisees, Successors or Assigns				
		(l.12.1) Donald Ray Clevinger 404 Dark Run Road Elliston, VA 24087	0.0411 acres 1/1728 of 70.94 acres	0.0513%	Leased	
II.	Oil &	GAS OWNERSHIP				
	Tract	<u>#1 - 70.94 acres</u>				
	(1)	F.M.F. Boyd Helrs, Devisees, Successors or Assigns, et al. (119 Acre Tract)	70.94 acres	88.6750%		
	(1)	Marion Boyd Heirs, Devisees, Successors or Assigns				
	(a)	Kilby Boyd c/o Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.4826 acres 1/147 of 70.94 acres		Deceased	
	(2)	Henry Boyd Heirs, Devisees, Successors or Assigns				
	(d)	Judy C. Boyd 3501 Boyd's Ridge Rd. Vansant, VA 24656	0.1609 acres 1/441 of 70.94 acres	0.2011%	Leased	
	(5)	Marion Rendue Boyd Heirs, Devisees, Successors or Assigns				
	(c)	Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns				
		(c.3) Pauline Baldwin 5931 Berkshire Ct Alexandria, VA 22303	0.0821 acres 1/864 of 70.94 acres	0.1026%	Leased	
		(c.8) Judy Elizabeth Hagy PO Box 104 Vansant, VA 24656	0.0821 acres 1/864 of 70.94 acres	0.1026%	Leased	
		(c.9) Gary Raymond Baldwin Heirs, Devisees, Successors or Assigns				
		(c.9.1) Jody Baldwin 341 Pennsylvania Avenue Salem, VA 24153	0.0821 acres 1/864 of 70.94 acres	0.1026%	Leased	
	(e)	) Ada Nell Stiltner Heirs, Devisees, Successors or Assigns				
		(e.3) Shelia Miller 4138 Bloomingdale Rd. kingsport, TN 37660	0.1642 acres 1/432 of 70.94 acres	0.2053%	Leased	
	Ű	) Mary Boyd Cook Heirs, Devisees, Successors or Assigns				
		(j.4) Ercil Cook Heirs, Devisees, Successors or Assigns (1/288)			Deceased	
		(j.4.1) Mark Cook PO Box 1732 Honaker, VA 24260	0.0821 acres 1/864 of 70.94 acres	0.1025%		Heir



### Exhibit B-2

## Unit W-4 Docket #VGOB 06-0418-1616

	Acres in Unit	Percent of Unit	Reason for Dismissal	Reason for Addition
(j.4.1) Ercil Cook, Jr. 401 Chalan Gurna Yuus Court Sinaja, Guam 96926	0.0821 acres 1/864 of 70.94 acres	0.1026%		Heir
(j.4.1) Ursula Cook Address Unknown	0.0821 acres 1/864 of 70.94 acres	0.1026%		Heir
(I) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns				
(I.12) Carlie B. Clevinger Heirs, Devisees, Successors or Assigns				
(I.12.1) Donald Ray Clevinger 404 Dark Run Road Elliston, VA 24087	0.0411 acres 1/1728 of 70.94 acres	0.0513%	Leased	
<u>Tract #2 - 9.06 acres</u>				
John W. Pobst, Jr., et al. (51 Acre outsale of the 75.75 Acre Tract)	9.06 acres	11.3250%		
(2) Henry J. Looney Heirs, Devisees, Successors or Assigns				
(a) Gallie Looney Heirs, Devisees, Successors or Assigns			Deceased	
(a.1) Marvin H. Looney 1235 N. Brookland Road Genessee, PA 16923	0.16 acres 1/56 of 9.06 acres	0.2022%		Heir
(a.2) Henry W. Looney 322 24th Street W. Huntington, WV 25704	0.16 acres 1/56 of 9.06 acres	0.2022%		Heir
(a.3) Loretta Trittipoe 9 High Street Brookeville, MD 20833	0.16 acres 1/56 of 9.06 acres	0.2022%		Heir
(a.4) Bobby Gene Looney Address Unknown	0.16 acres 1/56 of 9.06 acres	0.2022%		Heir
(a.5) Beulah Fawn Holifield 17813 Howe Drive Olney, MD 20832	0.16 acres 1/56 of 9.06 acres	0.2022%		Heir
(a.6) Evelyn Carol James 183 Quarry Road Sparta, MO 65753	0.16 acres 1/56 of 9.06 acres	0.2022%		Heir
(a.7) Larry Looney P.O. Box 142 Glen Haven, CO 80532-0142	0.16 acres 1/56 of 9.06 acres	0.2022%		Heir
(b) Rosa Jane Looney Owens Heirs, Devisees, Successors or Assigns				
(c) Heda (Hettie) Looney Maynard Heirs, Devisees, Successors or Assigns			Deceased	
(c.1) Charles Ronnie Maynard P.O. Box 57 Raccoon, KY 41557	0.14 acres 1/64 of 9.06 acres	0.1770%		Heir
(c.2) Nancy Jane Smith PO Box 72	0.14 acres 1/64 of 9.06 acres	0.1770%		Heir

### Exhibit B-2

# Unit W-4 Docket #VGOB 06-0418-1616 List of Respondents to be Added and/or Dismissed

		Acres in Unit	Percent of Unit	Reason for Dismissal	Reason for Addition
(c.3)	Ida Gaye Smith 192 Fifty-Eight Branch Raccoon, KY 41557	0.14 acres 1/64 of 9.06 acres	0.1770%		Heir
(c.4)	Clara Hope Meade 1424 Layman View Way New Market, TN 37820	0.14 acres 1/64 of 9.06 acres	0.1770%		Heir
(c.5)	Billy Maynard 10963 Beaver Pike Road Jackson, OH 45640	0.14 acres 1/64 of 9.06 acres	0.1770%		Heir
(c.6)	Marion Maynard P.O. Box 267 Lewisburg, OH 45338	0.14 acres 1/64 of 9.06 acres	0.1770%		Heir
(c.7)	Geraldine Maynard Collins P.O. Box 155 New Madison, OH 45346	0.14 acres 1/64 of 9.06 acres	0.1770%		Heir
(c.8)	Henry Jefferson Todge Maynard Heirs, Devisees, Successors or Assigns				
	(c.8.1) Diana Thacker 130 Angela Street Pikeville, KY 41501	0.05 acres 1/192 of 9.06 acres	0.0590%		Heir
	(c.8.2) Douglas Maynard 5638 Zebulon Highway Pikeville, KY 41501	0.05 acres 1/192 of 9.06 acres	0.0590%		Heir
	(c.8.3) John P. Maynard Heirs, Devisees, Successors or Assigns				
	(c.8.3.1) Karen Maynard, widow 6828 Zebulon Highway Pikeville, KY 41501	0.02 acres 1/384 of 9.06 acres	0.0295%		Heir
	(c.8.3.2) Jill Maynard Address Unknown	0.02 acres 1/384 of 9.06 acres	0.0295%		Heir
Suc	ert Joseph Looney Heirs, Devisees, cessors or Assigns viously J R. Looney)			Deceased	
(e.1	) Monnie Wilson 1904 Ireland Drive Leander, TX 78641-2836	0.03 acres 1/360 of 9.06 acres	0.0315%		Heir
(e.2	) Rachel Sweeten P.O. Box 508 Raven, VA 24639-0508	0.03 acres 1/360 of 9.06 acres	0.0315%		Heir
(e.3	) Ollie Fay Looney Aldhizen Heirs, Devisees, Successors or Assigns				
	(e.3.1) Karla Lankins 9899 SW 170 Street Miami, FL 33157-4332	0.03 acres 1/360 of 9.06 acres	0.0315%		Heir
(e.4	) Luther Theodore Looney Heirs, Devisees, Successors or Assigns				
	(e.4.1) Michael Joseph Looney 18701 Roxbury Road Hagenstown, MD 21746	0.01 acres 17720 of 9.06 acres	0.0157%		Heir
	(e.4.2) David Scott Looney 817 Tafh Street Sidney, OH 45365-2543	0.01 acres 1/720 of 9.06 acres	0.0157%		Heir
					Lindstod 7f

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Updated 7/2/10

### Docket #VGOB 06-0418-1616

·	Acres in Unit	Percent of Unit	Reason for Dismissal	Reason for Addition
(e.5) Bradley Miles Looney Heirs, Devisees, Successors or Assigns				
(e.5.1) Ruth Looney 417 Reedy Fork Road Greenville, SC 29605-6219	0.03 acres 1/360 of 9.06 acres	0.0315%	•	Heir
<ul><li>(f) Ida Looney Scott Heirs, Devisees, Successors or Assigns</li></ul>				
(f.1) Juanita Scott Thompson 1209 Burning Fork Road Pikeville, KY 41501	0.13 acres 1/72 of 9.06 acres	0.1573%	Leased	
<ul><li>(g) Sarah Amanda Looney Owens Heirs, Devisees, Successors or Assigns</li></ul>				
(g.9) Virgil Owens Heirs, Devisees, Successors or Assigns				
(g.9.1) Lucinda Owens Heirs, Devisees, Successors or Assigns				
(g.9.1.1) Wesley & Shirley Owens P.O. Box 684 Oakwood, VA 24631	0.01 racres 1/1296 of 9.06 acres	0.0087%	Leased	

	List of all Unleased Owners/Claimants		
	<u> </u>	Acres in Unit	Percent of Unit
ſ.	COAL OWNERSHIP		
	<u>Tract #1 - 70.94 acres</u>		
	(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (119 Acre Tract)	70.94 acres	88.6750%
	(1) Marion Boyd Helrs, Devisees, Successors or Assigns		
	(b) Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.9652 acres 2/147 of 70.94 acres	1.2065%
	(5) Marion Rendue Boyd Heirs, Devisees, Successors or Assigns		
	<ul><li>(a) Laura Myrtle Baldwin Heirs, Devisees, Successors or Assigns</li></ul>		
	(c) Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns		
	(c.2) Opal Mattie Hunt 263 Donna Ave Morgantown, WV 26508	0.0821 acres 1/864 of 70.94 acres	0.1026%
	(c.6) Laura Virginia Manier 4022 Leemaster Drive Vansant, VA 24656	0.0821 acres 1/864 of 70.94 acres	0,1026%
	(c.7) Henry Nathan Baldwin, Jr. 403 Surface Dr. Tazewell, VA 24651	0.0821 acres 1/864 of 70.94 acres	0.1026%
	(c.11) James Curtis Baldwin 1261 Baldwin Rd, Vansant, VA 24656	0.1916 acres 7/2592 of 70.94 acres	0.2395%
	<ul><li>(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns</li></ul>		
	(j.2) Lloyd Cook Rt.5 Box 535 Grundy, VA 24614	0.2463 acres 1/288 of 70.94 acres	0.3079%
	(j.4) Ercil Cook Heirs, Devisees, Successors or Assigns (1/288)		
	(j.4.1) Mark Cook PO Box 1732 Honaker, VA 24260	0.0821 acres 1/864 of 70.94 acres	0.1026%
	(j.4.1) Ercil Cook, Jr. 401 Chalan Guma Yuus Court Sinaja, Guam 96926	0.0821 acres 1/864 of 70,94 acres	0.1026%
	(j.4.1) Ursula Cook Address Unknown	0.0821 acres 1/864 of 70.94 acres	0.1026%
	(I) Ardue Guy Boyd Heirs, Devisees, Successsors or Assigns		
	(I.6) Estil Boyd Heirs, Devisees, Successors or Assigns		
	(I.6.1) Katherine Boyd 116 Villa Lane Taylorsville, NC 28681	0.0821 acres 1/864 of 70.94 acres	0.1026%

		List of an Unleased Ov		Percent
		· · · · · · · · · · · · · · · · · · ·	Acres in Unit	of Unit
11.	OIL &	GAS OWNERSHIP		
	Tract	#1 - 70.94 acres		
	(1)	F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (119 Acre Tract)	70.94 acres	88.6750%
	(1)	Marion Boyd Heirs, Devisees, Successors or Assigns		
	(b)	Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.9652 acres 2/147 of 70.94 acres	1.2065%
	(5)	Marion Rendue Boyd Heirs, Devisees, Successors or Assigns		
	(c)	Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns		
		(c.2) Opal Mattle Hunt 263 Donna Ave Morgantown, WV 26508	0.0821 acres 1/864 of 70.94 acres	0.1026%
		(c.6) Laura Virginia Manier 4022 Leemaster Drive Vansant, VA 24656	0.0821 acres 1/864 of 70.94 acres	0.1026%
		(c.7) Henry Nathan Baldwin, Jr. 403 Surface Dr. Tazewell, VA 24651	0.0821 acres 1/864 of 70.94 acres	0.1026%
		(c.11) James Curtis Baldwin 1261 Baldwin Rd. Vansant, VA 24656	0.1916 acres 7/2592 of 70.94 acres	0.2395%
	(i)	Mary Boyd Cook Heirs, Devisees, Successors or Assigns		
		(j.2) Lloyd Cook Rt.5 Box 535 Grundy, VA 24614	0.2463 acres 1/288 of 70.94 acres	0.3079%
		(j.4) Ercil Cook Heirs, Devisees, Successors or Assigns (1/288)		
		(j.4.1) Mark Cook PO Box 1732 Honaker, VA 24260	0.0821 acres 1/864 of 70.94 acres	0.1026%
		(j.4.1) Ercii Cook, Jr. 401 Chalan Guma Yuus Court Sinaja, Guam 96926	0.0821 acres 1/864 of 70.94 acres	0.1026%
		(j.4.1) Ursula Cook Address Unknown	0.0821 acres 1/864 of 70.94 acres	0.1026%
	(1)	Ardue Guy Boyd Heirs, Devisees, Successors or Assigns		
		(I.6) Estil Boyd Heirs, Devisees, Successors or Assigns		
		(l.6.1) Katherine Boyd 116 Villa Lane Taylorsville, NC 28681	0.0821 acres 1/864 of 70.94 acres	0.1026%

	Acres in Unit	Percent of Unit
Tract #2 - 9.06 acres		
John W. Pobst, Jr., et al. (51 Acre outsale of the 75.75 Acre Tract)	9.06 acres	11.3250%
(2) Henry J. Looney Heirs, Devisees, Successors or Assigns		
(b) Rosa Jane Looney Owens Heirs, Devisees, Successors or Assigns		
(b.1) Hays Owens Address Unknown	0.378 acres 1/24 of 9.06 acres	0.4719%
(b.2) Holly Owens  Address Unknown	0.378 acres 1/24 of 9.06 acres	0.4719%
(b.3) Claude Owens Heirs, Devisees, Successors or Assigns Heirs / Addresses Unknown	0.378 acres 1/24 of 9.06 acres	0.4719%
(c) Heda (Hettia) Looney Maynard Heirs, Devisees, Successors or Assigns		
(c.8) Henry Jefferson Todge Maynard Heirs, Devise Successors or Assigns	ees,	
(c.8.1) Diana Thacker 130 Angela Street Pikeville, KY 41501	0.047 acres 1/192 of 9.06 acres	0.0590%
(c.8.2) Douglas Maynard 5638 Zebulon Highway Pikeville, KY 41501	0.047 acres 1/192 of 9.06 acres	0.0590%
(c.8.3) John P. Maynard Heirs, Devisees, Successors or Assigns		
(c.8.3.1) Karen Maynard, widow 6828 Zebulon Highway Pikeville, KY 41501	0.024 acres 1/384 of 9.06 acres	0.0295%
(c.8.3.2) Jill Maynard Address Unknown	0.024 acres 1/384 of 9.06 acres	0.0295%
(d) Victoria Looney Hagy Heirs, Devisees, Successors or Assigns		
(d.1) Henry W. Hagy Heirs, Devisees, Successors or Assigns		
(d.1.1) Beverly Hagy P.O. Box 369 Linden, MI 48451	0.171 acres 19/1008 of 9.06 acres	0.2135%
(d.2) William R. Hagy 20963 Chatham Court Abingdon, VA 24210-1682	0.171 acres 19/1008 of 9.06 acres	0.2135%
(d.6) Betty Hagy Alcartan 6431 Hill Creek Drive San Antonio, TX 78256	0.171 acres 19/1008 of 9.06 acres	0.2135%
(d.7) Della Church Heirs, Devisees, Successors or Assigns		
(d.7.1) Deborah Ashby Address Unknown	0.018 acres 1/504 of 9.06 acres	0.0225%

	Acres in Unit	Percent of Unit
(d.7.2) Derethy F. Church Address Unknown	0.018 acres 1/504 of 9.06 acres	0.0225%
(d.7.3) Donald J. Church Address Unknown	0.018 acres 1/504 of 9.06 acres	0.0225%
(d.7.4) Vickie Guffey 2289 Preston Mill Road Huddleston, VA 24104	0.018 acres 1/504 of 9.06 acres	0.0225%
(d.7.5) Denny R. Church 1396 Laymantown Road Troutville, VA 24175	0.018 acres 1/504 of 9.06 acres	0.0225%
(e) Robert Joseph Looney Heirs, Devisees, Successors or Assigns (previously J.R. Looney)		
(e.3) Ollie Fay Looney Aldrizen Heirs, Devisees, Successors or Assigns		
(e.3.1) Karla Lankins 9899 SW 170 Street Miami, FL 33157-4332	0,025 acres 1/360 of 9,06 acres	0.0315%
(e.4) Luther Theodore Looney Heirs, Devisees, Successors or Assigns		
(e.4.1) Michael Joseph Looney 18701 Roxbury Road Hagenstown, MD 21746	0.013 acres 1/720 of 9.06 acres	0.0157%
(e.4.2) David Scott Looney 817 Tafh Street Sidney, OH 45365-2543	0.013 acres 1/720 of 9.06 acres	0.0157%
(e.5) Bradley Miles Looney Heirs, Devisees, Successors or Assigns		
(e.5.1) Ruth Looney 417 Reedy Fork Road Greenville, SC 29605-6219	0.025 acres 1/360 of 9.06 acres	0.0315%
<ul><li>(g) Sarah Amanda Looney Owens Heirs, Devisees, Successors or Assigns</li></ul>		
(g.2) Maxie Fuller Heirs, Devisees, Successors or Assigns		
(g.2.1) Allison Fuller 195 Reaves Avenue Interlachen, FL 32148	0.009 acres 1/972 of 9.06 acres	0.0117%
(g.2.2) Stacy Fuller 212 Holly Lane Palatka, FL 32177	0.005 acres 1/1944 of 9,06 acres	0,0058%
(g.10) Abigail Owens Colley Heirs, Devisees, Successors or Assigns		
(g.10.1) Gary Colley Address Unknown	0.007 acres 1/1296 of 9.06 acres	0.0087%

### Docket #VGOB 06-0418-1616

	List of Conflicting Owners/Cl	Acres In Unit	Percent of Unit
ract #1 - 70.	94 acres		
Es	crow due to unknown / uniocatable		
co	DAL OWNERSHIP		
,	(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (119 Acre Tract)	70.94 acres	88.67509
(	<ol> <li>Marion Rendue Boyd Heirs, Devisees, Successors or Assigns</li> </ol>		
	(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns		
	(j.4) Ercil Cook Heirs, Devisees, Successors or Assigns (1/288)		
	(j.4.1) Ursula Cook Address Unknown	0.0821 acres 1/864 of 70.94 acres	0.10269
<u>01</u>	L & GAS OWNERSHIP		
(	1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al. (119 Acre Tract)	70.94 acres	88.67509
(	<li>Marion Rendue Boyd Heirs, Devisees, Successors or Assigns</li>		
	(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns		
	(j.4) Ercil Cook Heirs, Devisees, Successors or Assigns (1/288)		
	(j.4.1) Ursula Cook Address Unknown	0.0821 acres 1/864 of 70.94 acres	0.10269
Tract #2 - 9.0	06 acres		
<u>c</u> c	DAL OWNERSHIP		
(	(1) Levisa Coal Company, et al., Tr.36 (51 Acre outsele of the 75.75 Acre Tract) c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77469	9.06 acres	11.3250
<u>01</u>	L & GAS OWNERSHIP		
	ohn W. Pobst, Jr., et al. 1 Acre outsale of the 75.75 Acre Tract)	9.06 acres	11.3250
1	(1) John W. Pobst, Jr., et al.		
	(i) D. Ralph Thacker 20021 Thacker Drive Boonsboro, MD 21713	0.13 acres 1/72 of 9.06 acres	0.1573
Í	(2) Henry J. Looney Heirs, Devisees, Successors or Assigns		
	(a) Gallie Looney Heirs, Devisees, Successors or Assigns		
	(a.1) Marvin H. Looney 1235 N. Brookland Road Genessee, PA 16923	0.16 acres 1/56 of 9.06 acres	0.2022

	Acres in Unit	Percent of Unit
(a.2) Henry W. Looney 322 24th Street W. Huntington, WV 25704	0.16 acres 1/56 of 9.06 acres	0.2022%
(a.3) Loretta Trittipoe 9 High Street Brookeville, MD 20833	0.16 acres 1/56 of 9.06 acres	0.2022%
(a.4) Bobby Gene Looney Address Unknown	0.16 acres 1/56 of 9.06 acres	0.2022%
(a.5) Beutah Fawn Holifield 17813 Howe Drive Olney, MD 20832	0.16 acres 1/56 of 9.06 acres	0.2022%
(a.6) Evelyn Carol James 183 Quarry Road Sparta, MO 65753	0.16 acres 1/55 of 9.06 acres	0.2022%
(a.7) Larry Looney P.O. Box 142 Glen Haven, CO 80532-0	0.16 acres 1/56 of 9.06 acres 0142	0.2022%
(b) Rosa Jana Looney Owens Heil Successors or Assigns	rs, Devisees,	
(b.1) Hays Owens Address Unknown	0.38 acres 1/24 of 9.06 acres	0.4719%
(b.2) Holly Owens Address Unknown	0.38 acres 1/24 of 9.06 acres	0.4719%
(b.3) Claude Owens Heirs, De Successors or Assigns Heirs / Addresses Unkno	1/24 of 9.06 acres	0.4719%
(c) Heda (Hettie) Looney Maynard Successors or Assigns	l Heirs, Devisees,	
(c.1) Charles Ronnie Maynard P.O. Box 57 Raccoon, KY 41557	0.14 acres 1/64 of 9.06 acres	0.1770%
(c.2) Nancy Jane Smith PO Box 72 Raccoon, KY 41557	0.14 acres 1/64 of 9.06 acres	0.1770%
(c.3) Ida Gaye Smith 192 Fifty-Eight Branch Raccoon, KY 41557	0.14 acres 1/64 of 9.06 acres	0.1770%
(c.4) Clara Hope Meade 1424 Layman View Way New Market, TN 37820		0.1770%
(c.5) Billy Maynard 10963 Beaver Pike Road Jackson, OH 45640	0.14 acres d 1/64 of 9.06 acres	0.1770%
(c.6) Marion Maynard P.O. Box 267 Lewisburg, OH 45338	0.14 acres 1/64 of 9.06 acres	0.1770%
(c.7) Geraldine Maynard Colli P.O. Box 155 New Madison, OH 4534	1/64 of 9.06 acres	0.1770%
(c.8) Henry Jefferson Todge I Successors or Assigns	Maynard Heirs, Devisees.	
(c.8.1) Diana Thacker 130 Angela Stree Pikeville, KY 415		0.0590%

	Acres in Unit	Percent of Unit
(c.8.2) Douglas Maynard 5638 Zebulon Highway Pikeville, KY 41501	0.05 acres 1/192 of 9.06 acres	0.0590%
(c.8.3) John P. Maynard Heirs, Devisees, Successors or Assigns		
(c.8.3.1) Karen Maynard, widow 6828 Zebulon Highway Pikeville, KY 41501	0.02 acres 1/384 of 9.06 acres	0.0295%
(c.8.3.2) Jill Maynard Address Unknown	0.02 acres 1/384 of 9.06 acres	0.0295%
<ul><li>(d) Victoria Looney Hagy Heirs, Devisees, Successors or Assigns</li></ul>		
(d.1) Henry W. Hagy Heirs, Devisees, Successors or Assigns		
(d.1.1) Beverly Hagy P.O. Box 369 Linden, MI 48451	0.17 acres 19/1008 of 9.06 acres	0.2135%
(d.2) William R. Hagy 20963 Chatham Court Abingdon, VA 24210-1682	0.17 acres 19/1008 of 9.06 acres	0.2135%
(d.3) Dennis Hagy 36 Buck Oak Lane White Haven, PA 18661	0.17 acres 19/1008 of 9.06 acres	0.2135%
(d.4) Frank Hagy 118 Max Lane Galax, VA 24333	0.17 acres 19/1008 of 9.06 acres	0.2135%
(d.5) Joyce A. Morris Box 464 Loyall, KY 40854	0.17 acres 19/1008 of 9.06 acres	0.2135%
(d.6) Betty Hagy Alcartan 6431 Hill Creek Drive San Antonio, TX 78256	0.17 acres 19/1008 of 9.06 acres	0.2135%
(d.7) Delia Church Heirs, Devisees, Successors or Assigns		
(d.7.1) Deborah Ashby Address Unknown	0.02 acres 1/504 of 9.06 acres	0.0225%
(d.7.2) Dorothy F. Church Address Unknown	0.02 acres 1/504 of 9.06 acres	0.0225%
(d.7.3) Donald J. Church Address Unknown	0.02 acres 1/504 of 9.06 acres	0.0225%
(d.7.4) Vickie Guffey 2289 Preston Mill Road Huddleston, VA 24104	0.02 acres 1/504 of 9.06 acres	0.0225%
(d.7.5) Danny R. Church 1396 Laymantown Road Troutville, VA 24175	0.02 acres 1/504 of 9.06 acres	0.0225%
(d.7.6) Martha G. Keen P.O. Box 592 Keen Mountain, VA 24624	0.02 acres 1/504 of 9.06 acres	0.0225%

		Acres in Unit	Percent of Unit
Succ	ert Joseph Looney Heirs, Devisees, essors or Assigns riously J.R. Looney)		
(prev	lousy J.A Looney)		
(e.1)	Monnie Wilson 1904 Ireland Drive Leander, TX 78641-2836	0.03 acres 1/360 of 9.06 acres	0.03159
(e.2)	Rachel Sweeten P.O. Box 508 Raven, VA 24639-0508	0.03 acres 1/360 of 9.06 acres	0.03159
(e.3)	Ollie Fay Looney Aldhizen Heirs, Devisees, Successors or Assigns		
	(e.3.1) Karta Lenkins 9899 SW 170 Street Miami, Fl. 33157-4332	0.03 acres 1/360 of 9.06 acres	0.03159
(e.4)	Luther Theodore Looney Heirs, Devisees, Successors or Assigns		
	(e.4.1) Michael Joseph Looney 18701 Roxbury Road Hagenstown, MD 21746	0.01 acres 1/720 of 9.06 acres	0.01579
	(e.4.2) David Scott Looney 817 Tafh Street Sidney, OH 45365-2543	0.01 acres 1/720 of 9.06 acres	0.01579
(e.5)	Bradley Miles Looney Heirs, Devisees, Successors or Assigns		
	(e.5.1) Ruth Looney 417 Reedy Fork Road Greenville, SC 29605-6219	0.03 acres 1/360 of 9.06 acres	0.03159
	ooney Scott Heirs, Devisees, essors or Assigns		
• •	Juanita Scott Thompson 1209 Burning Fork Road Pikeville, KY 41501	0.13 acres 1/72 of 9.06 acres	0.1573
	h Amanda Looney Owens Heirs, Devisees, æssors or Assigns		
(g. 1)	Geneva Owens Kersey 1002 Kersey Road Green Cove Springs, FL 32043	0.01 acres 1/648 of 9.06 acres	0.0175
(g.2)	Maxie Fuller Heirs, Devisees, Successors or Assigns		
	(g.2.1) Allison Fuller 195 Reaves Avenue Interlachen, FL 32148	0.01 acres 1/972 of 9.06 acres	0.0117
	(g.2.2) Stacy Fuller 212 Holly Lane Paletka, FL 32177	0.00 acres 1/1944 of 9.06 acres	0.0058
(g.3)	Wedith Shammami 4546 Fairway Ridge West Bloomfield, MI 48323	0.01 acres 1/648 of 9.06 acres	0.0175
(g.4)	Clarence Owens Heirs, Devisees, Successors or Assigns		

_		Percent
	Acres in Unit	of Unit
(g.4.1) Barbara A. Spencer 1285-B Lovett Road Orange Park, FL 32065	0.00 acres 1/1944 of 9.06 acres	0.0058%
(g.4.2) Johnny Owens 13427 Beall Avenue Jacksonville, FL 32218	0.00 acres 1/1944 of 9.06 acres	0.0058%
(g.4.3) Harold B. Owens 4946 Highway 17 South Green Cove Springs, FL 32043	0.00 acres 1/1944 of 9.06 acres	0.0058%
(g.5) Billy Owens Rt.1 Box 72 Vansant, VA 24656	0.01 acres 1/648 of 9.06 acres	0.0175%
(g.6) James Eurcele Owens Heirs, Devisees, Successors or Assigns		
(g.6.1) Edith Owens Rt.1 Box 70 Vansant, VA 24656	0.01 acres 1/648 of 9.06 acres	0.0175%
(g.7) Mary Fuller Rt.2 Box 287C Grundy, VA 24614	0.01 acres 1/648 of 9.06 acres	0.0175%
(g.8) Dolly Owens Box 45 Oakwood, VA 24631	0.01 acres 1/648 of 9.06 acres	0.0175%
(g.9) Virgil Owens Heirs, Devisees, Successors or Assigns		
(g.9.1) Lucinda Owens Heirs, Devisees, Successors or Assigns		
(g.9.1.1) Wesley & Shirley Owens P.O. Box 684 Oakwood, VA 24631	0.01 acres 1/1296 of 9.06 acres	0.0087%
(g. 10) Abigail Owens Colley Heirs, Devisees, Successors or Assigns		
(g.10.1) Gary Colley Address Unknown	0.01 acres 1/1296 of 9.06 acres	0.0087%

## Docket #VGOB 06-0418-1616 List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit
9,06 acres		
COAL OWNERSHIP		
(1) Levisa Coal Company, et al., Tr.36 (51 Acre outsele of the 75.75 Acre Tract) c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77469	9.06 acres	11.3250
OIL & GAS OWNERSHIP		
John W. Pobst, Jr., et al. (51 Acre outsale of the 75.75 Acre Tract)	9.06 acres	11.325
(1) John W. Pobst, Jr., et al.		
(a) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77469	1.01 acres 1/9 of 9.06 acres	1.2583
(b) Carol C. Irvin 4710 Hunterwood Circle Richmond, TX 77469	0.34 acres 1/27 of 9.06 acres	0.4194
(c) F.H. Combs Testamentary Trust c/o Amy &/or Eric Combs, Trustees P.O. Box 841 Tazewell, VA 24651	0.34 acres 1/27 of 9.06 acres	0.419-
(d) Martha E. Combs c/o Benjamin F. Edwards & Co. P.O. Box 625 Bluefield, VA 24605	0.34 acres 1/27 of 9.06 acres	0.419
(e) John W. Pobst, Jr. Box 86 Revere, PA 18953	0.34 acres 1/27 of 9.06 acres	0.419
(f) Virginia Lee & Phillip Linwick 4324 South Bell Drive Veradale, WA 99037	0.34 acres 1/27 of 9.06 acres	0.419
(g) W. Kent Pobst Trust 3760 Lindell Road		
(g.1) Richard K. Pobst 1024 Oxford Dr. St. Augustine, FL 32084-1821	0.34 acres 1/27 of 9.06 acres	0.419
(g.2) Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	0.34 acres 1/27 of 9.06 acres	0.419
(h) Meredith E. Jennings 542 Butler Mill Rd. Maryville, TN 37803	0.67 acres 2/27 of 9.06 acres	0.838

#### Docket #VGOB 06-0418-1616

#### List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Percent of Unit
2 - 9.06 acres		
COAL OWNERSHIP		
(1) Levisa Coal Company, et al., Tr.36 (51 Acre outsale of the 75.75 Acre Tract) c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77469	9.06 acres	11.3250%
OIL & GAS OWNERSHIP		
John W. Pobst, Jr., et al.	9.06 acres	11.32509
(51 Acre outsale of the 75.75 Acre Tract)	0.00	,
(1) John W. Pobst, Jr., et al.		
(a) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77489	1.01 acres 1/9 of 9.06 acres	1.2583%
(b) Carol C. Irvin 4710 Hunterwood Circle Richmond, TX 77469	0.34 acres 1/27 of 9.06 acres	0.4194%
(c) F.H. Combs Testamentary Trust c/o Amy &/or Eric Combs, Trustees P.O. Box 841 Tazewell, VA 24651	0.34 acres 1/27 of 9.06 acres	0.4194%
(d) Martha E. Combs c/o Benjamin F. Edwards & Co. P.O. Box 625 Bluefield, VA 24605	0.34 acres 1/27 of 9.06 acres	0.4194%
(e) John W. Pobst, Jr. Box 86 Revere, PA 18953	0.34 acres 1/27 of 9.06 acres	0.41949
(f) Virginia Lee & Phillip Linwick 4324 South Bell Drive Veradale, WA 99037	0.34 acres 1/27 of 9.06 acres	0.4194%
(g) W. Kent Pobst Trust 3760 Lindell Road		
(g.1) Richard K. Pobst 1024 Oxford Dr. St. Augustine, FL 32084-1821	0.34 acres 1/27 of 9.06 acres	0.41949
(g.2) Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	0.34 acres 1/27 of 9.06 acres	0.41949
(h) Meredith E. Jennings 542 Butler Mill Rd. Maryville, TN 37803	0.67 acres 2/27 of 9.06 acres	0.83899

1957709597 #110002425 RECORDED IN THE CLERK 5 OFFICE OF BOCHANAN COUNTY ON BEFTEMBER 30: 2011 AT 04:00**4** 

SEVERL: S. FILLER. SLERN RESURVED SV: SLE Updated 7/2/10